

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty ARC-613-108

Dkt.

ITW

Pau CID

C# M#

Serial No. 10/580,610

TC/A.U.

1626

Filed: February 12, 2007

Examiner: Loewe

Date: February 20, 2008

Title: A METHOD FOR THE PREPARATION OF (2S, 3AR, 7AS)-OCTAHYDRO-III-INDOLE-2-CARBOXYLIC ACID AS KEY INTERMEDIATE IN THE PREPARATION OF TRANDOLAPRIL BY REACTING A CYCLOHEXYL AZIRIDINE WITH A DIALKYL MALONATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$210.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254)
Five Month Extensions \$2,230.00 (1255)/\$1115.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Pau CID

Atty. Ref.: 613-108; Confirmation No. 4998

Appl. No. 10/580,610

TC/A.U. 1626

Filed: February 12, 2007

Examiner: Loewe

For: A METHOD FOR THE PREPARATION OF (2S, 3AR, 7AS)-OCTAHYDRO-III-INDOLE-2-CARBOXYLIC ACID AS KEY INTERMEDIATE IN THE PREPARATION OF TRANDOLAPRIL BY REACTING A CYCLOHEXYL AZIRIDINE WITH A DIALKYL MALONATE

* * * * *

February 20, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is responsive to the Official Action dated January 30, 2008, in which restriction was required between five different groups of claims which included an election of species for each of the five different groups.

Applicants elect the subject matter of Group I, namely claims 1-9 drawn to a process of making the product of formula I.

As the single disclosed species, applicants elect R₁ as being hydrogen and in the non-salt form.

Counsel understands that the examination will be based upon the claims as amended in the Preliminary Amendment filed May 25, 2006.

When examining this application please take into account the documents cited in the International Search Report as listed in the completed form attached to the Preliminary

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Amendment just mentioned as well as the Information Disclosure Statement of November 28, 2006.

It is counsel's understanding the search will be conducted initially as to the elected species and then broadened to include the full range of the examined claims consistent with the results of that search.

An examination on the merits is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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